

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Glenny G. Hernandez

(Enter above the full name of  
plaintiff in this action)

v.

Wagonshed

(Enter above the full name of  
the defendant(s) in this action)

**4 : CV - 22 - 1860**

CIVIL CASE NO:

(to be supplied by Clerk  
of the District Court)

FILED  
SCRANTON

NOV 22 2022

PER

DEPUTY CLERK

COMPLAINT

1. The plaintiff Glenny G. Hernandez a citizen of  
the County of Northumberland State of  
Pennsylvania, residing at 396 Carroll Rd., Sunbury, PA 17801  
wishes to file a complaint under 29 CFR § 791.2 - Determining Joint Employer  
(give Title No. etc.)  
Status under the FLSA

2. The defendant is Wagonshed  
850 Railroad St., Bloomsburg, PA 17815

3. STATEMENT OF CLAIM: (State below the facts of your case. If you have paper  
exhibits that give further information of your case, attach them to this completed form. Use as  
much space as you need. Attach extra sheet(s) if necessary)

3. (CONTINUED) The plaintiff claims that a worker of the establishment

known as the Wagonshed, violated Federal Labor Regulation;

Under the proposed rule, two or more employers would be considered

joint employers if they "share or codetermine those matters governing

employees' essential terms and conditions of employment.

Specifically, the worker of 2 different, individual non-joint employers,

acted as an employee of both employers who are not joint-employers

and made decisions on behalf of both of those employers, while

performing work as an employee for one of those employers;

The Labor regulation violation created entrapment, resulting in a

false arrest and wrongful conviction on the plaintiff. Pennsylvania

Statutes Title 18 Pa C.S.A. Crimes and Offenses Section 313.

4. WHEREFORE, plaintiff prays that the court award to the plaintiff

Removal of citation # R2785693-1, plus financial restitution

(Miranda Rights were not read prior to arrest)

Punitive Damages stated in the Demand due to not being able

to pass a background check for work in the field of my

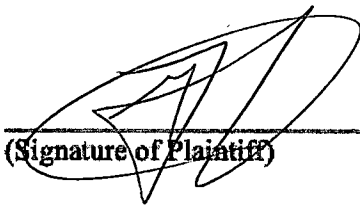
training and expertise and the type of benefits associated

with this type of employment, such as Company Car, Company

Credit Card, Company Phones, Company Computers, Bonuses

equivalent to salary, expenses, travel and the associations

that come along with this prestigious industry.

  
(Signature of Plaintiff)

I verify that the statements made in this Counter-Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Date: 11-22-22

GLENNY GERARDO HERNANDEZ



CIVIL COMPLAINT

2021-CV-829

Mag. Dist. No:  
MDJ Name: Honorable Thomas A. James, Jr.  
Address: 35 West Main Street  
Bloomsburg, PA 17815  
Telephone: (570) 389-5667

PLAINTIFF: NAME and ADDRESS

Glenny Gerardo Hernandez  
208 W. 1st Street  
Bloomsburg, PA 17815  
(610) 420-8443

DEFENDANT: NAME and ADDRESS

WagonShed  
85 Railroad Street  
Bloomsburg, PA 17815  
(570) 784-9999

Docket No:

Case Filed:

FILED  
PROTHONOTARY  
2021 AUG 23 P 2:55  
CLERK OF COURTS  
COUNTY OF COLUMBIA

|               | AMOUNT | DATE PAID |
|---------------|--------|-----------|
| FILING COSTS  | \$     |           |
| POSTAGE       | \$     |           |
| SERVICE COSTS | \$     |           |
| CONSTABLE ED. | \$     |           |
| TOTAL         | \$     |           |

Pa.R.C.P.M.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

To The Defendant: The above named plaintiff(s) asks judgment against you for \$ 300,000.00 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

The plaintiff claims that a worker of the establishment known as the Wagonshed, violated Federal Labor Regulation; Specifically, the worker of 2 different, individual non-joint employers, acted as an employee of both employers who are not joint-employers and made decisions on behalf of both of those employers, while performing work as an employee for one of those employers; See: *The Four Factor Balancing Test in the Joint Employer Final Rule*.

The Labor regulation violation created entrapment, resulting in a false arrest and wrongful conviction on the plaintiff. Pennsylvania Statutes Title 18 Pa C.S.A. Crimes and Offenses § 313.

This violation resulted in a civil rights violation. The plaintiff seeks compensatory and punitive damages for losses resulting from the false arrest and wrongful conviction. See; Federal Civil Rights Act of 1964.

I, Glen Hernandez verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

(Signature of Plaintiff or Authorized Agent)

The plaintiff's attorney shall file an entry of appearance with the magisterial district court pursuant to Pa.R.C.P.M.D.J. 207.1

If you intend to enter a defense to this complaint, you should notify this office immediately at the above telephone number. You must appear at the hearing and present your defense. Unless you do, judgment may be entered against you by default.

If you have a claim against the plaintiff which is within the magisterial district judge jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

AOPC 308A

1



FREE INTERPRETER  
[www.pacourts.us/language-rights](http://www.pacourts.us/language-rights)

Exhibit